
Appeal Decision

Site visit made on 9 March 2021

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2021

Appeal Ref: APP/L2630/W/20/3261262

46 Chapel Street, Barford, Norfolk NR9 4AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Rodney Brown against the decision of South Norfolk Council.
 - The application Ref 2020/0978, dated 2 June 2020, was refused by notice dated 7 September 2020.
 - The development proposed is outline application for a development of seven dwellings.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was made in outline with all detailed matters reserved for later consideration. I have dealt with the appeal on the same basis. Details of the layout provided have been taken as indicative of how the site might be developed.

Main Issues

3. The effects upon the character and appearance of the area and whether the proposal provides overriding benefits in terms of economic, social and environmental dimensions.

Reasons

The effects upon the character and appearance of the area

4. The site is accessed from an existing entrance between the two residential properties encountered along this side of the street upon first entering the village from this direction. The land to the rear of the first of these two properties, also served by the same existing entrance, is a former haulage yard that has recently been redeveloped to provide four new dwellings.
5. These four new homes, as well as the appeal site that lies adjacent to them, fall just outside the development boundary defined for Barford in the Council's Site Specific Allocations Local Plan¹. Barford itself is a compact settlement that has been identified in the Joint Core Strategy² (JCS) as a service village. This is

¹ South Norfolk Local Plan Document Adoption Version October 2015.

² Joint Core Strategy for Broadland, Norwich and South Norfolk. Adopted March 2011, amendments adopted January 2014.

where land will be allocated in the plan period for small scale housing growth in a 10-20 dwelling range, subject to form, character and servicing constraints.

6. The two frontage dwellings at the entrance to the village are set well apart, providing a spacious character to the street scene. The large side garden to No 46 is not shown to be developed and the proposed housing would be set back behind this, and in line with the already developed four dwelling site. With the proposed housing set back beyond the host dwelling, the spacious character of the village street scene would be preserved. The proposal would cause no harm to character and appearance in this respect.
7. The former haulage yard neighbouring this site has been developed with a group of well-designed homes. A scheme on the appeal site that mirrored this could be viewed as complimentary, thus fitting in suitably with the built form of housing in this location. The layout provided is indicative only, so detailed matters of the internal access arrangement, appearance, scale, layout and landscaping all remain reserved for later consideration. The Council would retain control over the final appearance of this development. On this basis, I find that the proposal would be of no material harm to the character and appearance of this area. As a good quality design might be a requirement of gaining reserved matter consent, I consider that the proposal would satisfy JCS Policy 2 and Development Management³ (DM) policies 1.4 and 3.8. This is insofar as these policies seek a good standard of design to ensure new development is compatible with and enhances its surroundings.

Whether the proposal provides overriding benefits in terms of economic, social and environmental dimensions

8. Policy DM 1.3 directs most new development to allocated sites or to within the development boundaries defined for settlements. Sites beyond these are deemed countryside for planning policy purposes, where specific policies might allow for certain sorts of development. None of these specific policies apply to this particular proposal. Therefore, to satisfy Policy DM 1.3, the scheme must demonstrate overriding benefits in terms of economic, social and environmental dimensions.
9. The Council has referred to a quite recent appeal decision⁴ where the Inspector provided some interpretation of the Policy DM 1.3 requirement to demonstrate overriding benefits. The gist of this was that such benefits were to be more important than anything else and as a result the development would have to be exceptional. I have had regard to this other appeal decision which related to a much larger housing scheme, found to give rise to a degree of landscape harm.
10. This proposal would not have any materially adverse effects upon the character and appearance of the village, subject to suitable reserved matter details, and would not lead to housing extending harmfully into open countryside. There would be the advantages of reasonably good accessibility to the quite small range of facilities within Barford, including its primary school.
11. The construction of the housing would benefit the local economy and the additional households would help support the vitality of the village and the viability of its services.

³ South Norfolk Local Plan Development Management Policies Document – Adopted Version October 2015.

⁴ Appeal Ref: APP/L2630/W/18/3215019 - land off St Mary's Road, Long Stratton, Norfolk NR15 2TT.

12. The Council is currently able to demonstrate a five-year housing land supply as required under the National Planning Policy Framework. However, this is not intended as a ceiling amount in respect of provision and the Government still has objectives for generally boosting the supply of new homes. A development of this quite small scale would provide the advantage of a relatively rapid build-out to assist in meeting this objective.
13. Some moderate weight can be given to the overall benefits in terms of boosting the supply of market homes. However, the greatest need is for affordable housing and, for this size of site, two of the seven dwellings would need to be provided as such. Although the appellant has agreed to this, the affordable housing could only be secured through a prior legal undertaking. Government Planning Practice Guidance⁵ advises against the use of a planning condition to require this. In the absence of a legal planning obligation to secure the affordable housing, the social benefits of the proposal are significantly diminished.
14. There would be some degree of harm from this proposal undermining a plan led approach towards the location of new development. Whilst this would be offset by the general suitability of this site for the delivery of further housing in this village, the lack of a means to secure the two units of affordable housing would mean the proposal as a whole would fail to demonstrate the overriding benefits necessary to gain support from Policy DM 1.3.

Conclusion

15. On the basis of the foregoing, I find the proposal to be in conflict with the development plan when considered as a whole. Having taken all further matters raised into account, I therefore conclude that the appeal be dismissed.

Jonathan Price

Inspector

⁵ Paragraph: 010 Reference ID: 21a-010-20190723 Revision date: 23 07 2019 See previous version